



1 belief in the existence of facts warranting a hearing, and that the Board therefore lacks  
2 probable cause to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Anne Sullivan moved, with a second by Brenda Garcia, that in **case number 14-51**,  
5 the Board find probable cause to establish a violation of the following provisions of the  
6 Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(4)(b) and order this  
7 case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8  
9 Larry Hill moved, with a second by Anne Sullivan, that in **case number 14-55**,  
10 the Board find that the evidence gathered in the investigation, including witness  
11 statements and the documentary evidence, does not create a reasonable ground  
12 for belief in the existence of facts warranting a hearing, and that the Board  
13 therefore lacks probable cause to proceed with this matter. **MOTION CARRIED**  
14 **UNANIMOUSLY.**

15  
16 Larry Hill moved, with a second by Mary K. Overholtzer, that in **case number**  
17 **14-59**, the Board find that the evidence gathered in the investigation, including  
18 witness statements and the documentary evidence, does not create a  
19 reasonable ground for belief in the existence of facts warranting a hearing, and  
20 that the Board therefore lacks probable cause to proceed with this matter.  
21 **MOTION CARRIED UNANIMOUSLY.**

22  
23 Anne Sullivan moved, with a second by Mary K. Overholtzer, that in **case number 14-**  
24 **66**, the Board find that the evidence gathered in the investigation, including witness  
25 statements and the documentary evidence, does not create a reasonable ground for  
26 belief in the existence of facts warranting a hearing, and that the Board therefore lacks  
27 probable cause to proceed with this matter. Roll call vote: Arnold – yes; Buck – yes;  
28 Dutcher – absent; Garcia – yes; Hill – yes; Overholtzer – yes; Pattee – recused; Prescott  
29 – yes; Stevens – yes; Sullivan – yes. **MOTION CARRIED.**

30  
31 Larry Hill moved, with a second by Brenda Garcia, that in **case number 14-38**, the  
32 Board find probable cause to establish a violation of the following provisions of the

1 Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(3)(e), 25.3(6)(m) and  
2 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

3

4 Larry Hill moved, with a second by Anne Sullivan, that in **case number 14-37**, the  
5 Board find that the evidence gathered in the investigation, including witness  
6 statements and the documentary evidence, does not create a reasonable ground for  
7 belief in the existence of facts warranting a hearing, and that the Board therefore lacks  
8 probable cause to proceed with this matter. **MOTION CARRIED UNANIMOUSLY.**

9

10 Anne Sullivan moved, with a second by Brenda Garcia, that in **case number 14-60**,  
11 the Board find probable cause to establish a violation of the following provisions of the  
12 Code of Professional Conduct and Ethics, 282 IAC –Chapter 25.3(6)(l) and (r) and order  
13 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Duane Magee left the  
14 room during the discussion of this case in closed session.)

15

16 Mary K. Overholtzer moved, with a second by Brenda Garcia, that in **case number 14-**  
17 **56**, the Board find that the evidence gathered in the investigation, including witness  
18 statements and the documentary evidence, does not create a reasonable ground for  
19 belief in the existence of facts warranting a hearing, and that the Board therefore lacks  
20 probable cause to proceed with this matter. Roll call vote: Arnold – recused; Buck –  
21 yes; Dutcher – absent; Garcia – yes; Hill – yes; Overholtzer – yes; Pattee – yes; Prescott  
22 – yes; Stevens – yes; Sullivan – yes. **MOTION CARRIED.**

23

24 Brenda Garcia moved, with a second by Larry Hill, that in **case number 14-03**, the  
25 Board accept the stipulation and settlement submitted by the parties, and issue an  
26 Order incorporating the agreement of the parties and imposing the agreed upon  
27 sanction. **MOTION CARRIED UNANIMOUSLY.**

28

29 Larry Hill moved, with a second by Brenda Garcia, that in **case number 13-123**, the  
30 Board accept the stipulation and settlement submitted by the parties, and issue an  
31 Order incorporating the agreement of the parties and imposing the agreed upon  
32 sanction. Roll call vote: Arnold – yes; Buck – yes; Dutcher – absent; Garcia – yes; Hill

1 – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan – recused.

2 **MOTION CARRIED.**

3

4 Mary K. Overholtzer moved, with a second by Larry Hill, that in **case number 14-25**,  
5 the Board accept the stipulation and settlement submitted by the parties, and issue  
6 an Order incorporating the agreement of the parties and imposing the agreed upon  
7 sanction. **MOTION CARRIED UNANIMOUSLY.**

8

9 Larry Hill moved, with a second by Brenda Garcia, that in **case number 14-41**, the  
10 Board accept the stipulation and settlement submitted by the parties, and issue an  
11 Order incorporating the agreement of the parties and imposing the agreed upon  
12 sanction. **MOTION CARRIED UNANIMOUSLY.**

13

14 Mary K. Overholtzer moved, with a second by Brenda Garcia, that in **case number 13-**  
15 **122**, the Board accept the stipulation and settlement submitted by the parties, and  
16 issue an Order incorporating the agreement of the parties and imposing the agreed  
17 upon sanction. Roll call vote: Arnold – yes; Buck – yes; Dutcher – absent; Garcia –  
18 yes; Hill – yes; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes; Sullivan –  
19 recused. **MOTION CARRIED.**

20

21 Brenda Garcia moved, with a second by Mary K. Overholtzer, that in **case number 14-**  
22 **16**, the Board accept the stipulation and settlement submitted by the parties, and  
23 issue an Order incorporating the agreement of the parties and imposing the agreed  
24 upon sanction. Roll call vote: Arnold – yes; Buck – yes; Dutcher – absent; Garcia –  
25 yes; Hill – yes; Overholtzer – yes; Pattee – recused; Prescott – yes; Stevens – yes;  
26 Sullivan – yes. **MOTION CARRIED.**

27

28 Brenda Garcia moved, with a second by Anne Sullivan, that in **case number 13-81**,  
29 the Board issue an order adopting the findings of fact and conclusions of law in the  
30 proposed decision but striking the sentence captioned “Decision and Order” and  
31 replacing the current text with “IT IS THEREFORE ORDERED that the Notice of  
32 Hearing and Statement of Charges filed against Respondent Dawn Batchelder in case

1 13-81 is hereby DISMISSED.” **MOTION CARRIED UNANIMOUSLY.** (Meghan Gavin  
2 left the room during the discussion of this case in closed session.)

3

4 Anne Sullivan moved, with a second by Larry Hill, that in **case number 13-78, In the**  
5 **Matter of Trent Prather**, the Board issue an order adopting the opinion dated  
6 August 8, 2014 as its final decision, denying oral argument, adopting the proposed  
7 decision’s findings of fact in their entirety, adopting certain conclusions of law and  
8 modifying other conclusions of law such that the respondent’s coaching authorization  
9 and teaching license are revoked. **MOTION CARRIED UNANIMOUSLY.** (Meghan  
10 Gavin left the room during the discussion of this case in closed session.)

11

12 Brenda Garcia moved, with a second by Jay Prescott, that the Board not initiate  
13 review of the proposed decision in **case number 13-131, In the Matter of Earl**  
14 **Oleson**, and allow the proposed decision to become the final decision of the Board  
15 unless an appeal is taken by one of the parties within the time allowed by rule. Roll  
16 call vote: Arnold – yes; Buck – yes; Dutcher – absent; Garcia – yes; Hill – no;  
17 Overholtzer – no; Pattee – no; Prescott – yes; Stevens – yes; Sullivan – no. **MOTION**  
18 **CARRIED.** (Meghan Gavin left the room during the discussion of this case in closed  
19 session.)

20

21 Brenda Garcia moved, with a second by Larry Hill, to extend the 180-day deadline  
22 for issuance of the final decision in **case number 14-15**, based upon the need to  
23 schedule the hearing and the need to review the proposed decision. Roll call vote:  
24 Arnold – yes; Buck – yes; Dutcher – absent; Garcia – yes; Hill – yes; Overholtzer –  
25 yes; Pattee – recused; Prescott – yes; Stevens – yes; Sullivan – yes. **MOTION**  
26 **CARRIED.**

27

28 Mary K. Overholtzer moved, with a second by Brenda Garcia, to extend the 180-day  
29 deadline for issuance of the final decision in **case number 14-20**, based upon the  
30 need to schedule the hearing and the need to review the proposed decision.  
31 **MOTION CARRIED UNANIMOUSLY.**

32

1 Anne Sullivan moved, with a second by Mary K. Overholtzer, to extend the 180-day  
2 deadline for issuance of the final decision in **case number 14-22**, based upon the  
3 need to schedule the hearing and the need to review the proposed decision. **MOTION**  
4 **CARRIED UNANIMOUSLY.** (Duane Magee left the room during the discussion of this  
5 case in closed session.)

6  
7 Brenda Garcia moved, with a second by Larry Hill, to extend the 180-day deadline for  
8 issuance of the final decision in **case number 14-23**, based upon the need to schedule  
9 the hearing and the need to review the proposed decision. **MOTION CARRIED**  
10 **UNANIMOUSLY.** (Duane Magee left the room during the discussion of this case in  
11 closed session.)

12  
13 Larry Hill moved, with a second by Brenda Garcia, to extend the 180-day deadline for  
14 issuance of the final decision in **case number 14-26**, based upon the need to schedule  
15 the hearing and the need to review the proposed decision. **MOTION CARRIED**  
16 **UNANIMOUSLY.**

17  
18 Larry Hill moved, with a second by Brenda Garcia, to extend the 180-day deadline  
19 for issuance of the final decision in **case number 14-28**, based upon the need to  
20 schedule the hearing and the need to review the proposed decision. **MOTION**  
21 **CARRIED UNANIMOUSLY.**

22  
23 Larry Hill moved, with a second by Mary K. Overholtzer, to extend the 180-day  
24 deadline for issuance of the final decision in **case number 14-36**, based upon the  
25 amount of time needed to complete the investigation due to pending criminal charges.  
26 **MOTION CARRIED UNANIMOUSLY.**

27  
28 Brenda Garcia moved, with a second by Larry Hill, to extend the 180-day deadline for  
29 issuance of the final decision in **case number 14-38**, based upon the need to schedule  
30 the hearing and the need to review the proposed decision. **MOTION CARRIED**  
31 **UNANIMOUSLY.**

1 Larry Hill moved, with a second by Mary K. Overholtzer, that in **case number 14-67**,  
2 the board acknowledge the agreement reached by the parties and issue an order  
3 imposing the agreed upon sanction. **MOTION CARRIED UNANIMOUSLY.**

4  
5 Case numbers 14-27 and 13-85 were discussed in open session.

6  
7 Background on **case number 14-27**: This case was received on March 7, 2014. The  
8 board found probable cause at its meeting on June 20, 2014. Hearing has been set  
9 for September 16, 2014. Larry Hill moved, with a second by Anne Sullivan, to extend  
10 the 180-day deadline for issuance of the final decision in **case number 14-27**, based  
11 upon the need to conduct the hearing and the need to review the proposed decision.  
12 **MOTION CARRIED UNANIMOUSLY.**

13  
14 Background on **case number 13-85**: Mr. Freeman's license was suspended for six  
15 months in a board order dated March 31, 2014. He was ordered to complete a  
16 psychological evaluation and the ethics course. He has submitted documentation of  
17 completion of these requirements, along with a request for reinstatement. (He is  
18 currently suspended until September 30, 2014.) The board has requested additional  
19 documentation and clarification prior to ruling on the application for reinstatement.  
20 Laura Stevens moved, with a second by Sara Arnold, to table **case number 13-85**, to  
21 the October meeting. **MOTION CARRIED UNANIMOUSLY.**

22  
23 Anne Sullivan moved, with a second by Andy Pattee, to approve the closed session  
24 minutes for June 20, 2014. **MOTION CARRIED UNANIMOUSLY.**

25  
26 Board Member Reports:

27 Andy Pattee congratulated Brenda Garcia for her outstanding work on a panel for the  
28 Teacher Leadership and Compensation System (TLC). He also congratulated Brad  
29 Buck for his presentation, discussion and overview as far as where we are at and  
30 where we are moving as a state to the School Administrators of Iowa (SAI) at their  
31 conference on August 6-7. Dr. Pattee also acknowledged Duane Magee, Darcy Lane  
32 and Joanne Tubbs regarding their two presentations on ethics at the SAI conference.  
33 It was well received and well attended. Anne Sullivan mentioned that she received

1 positive comments from those in her district that attended the ethics presentation.  
2 The presentation gave a heightened sense of awareness of the responsibility in the  
3 area of ethics.

4  
5 Mary K. Overholtzer attended the Professional Educators of Iowa (PEI) Leadership  
6 Training. One of the highlights was a guest speaker, Joel Fry, who spoke about  
7 compassion fatigue among those in the teaching field. It was a very powerful and  
8 informative presentation.

9  
10 Executive Director's Report

11 Executive Director Magee reviewed the financial report.

12  
13 The 2013-14 accomplishments of the BoEE staff were shared with board.

14  
15 A NASDTEC Professional Practices Survey was given to the board. The survey shows  
16 how we compare to other states regarding their significance/insignificance of various  
17 educator misconduct issues, investigative case load, etc.

18  
19 Phil Rogers, NASDTEC Executive Director, visited the BoEE office on July 29-30. He  
20 and Mr. Magee, who is the NASDTEC President, worked on the NASDTEC constitution,  
21 bylaws, reviewed future technology and also the identity of the organization.

22  
23 The upcoming Professional Practices Institute (through NASDTEC) will be held on  
24 October 28-30, 2014, in Newport, Rhode Island. Two board members will be invited to  
25 attend as well as Mr. Magee, Darcy Lane and Joanne Tubbs.

26  
27 Executive Director Magee shared a report that is prepared annually of those people  
28 that have been recommended from an Iowa institution from July 1, 2013 to June 30,  
29 2014. This report is used to determine shortage areas in various fields.

30  
31 Executive Director Magee asked the board for their thoughts on the rules adoption  
32 timeline. Generally, we discuss rules as they come up. He asked if we should  
33 consider updating at a similar time of the year so that districts can get done with the

1 school year and the new rules will then become effective at the start of the next school  
2 year. We would attempt to notice rules in January or February so that they become  
3 effective at the end of May or early June. We would continue to discuss rules year  
4 round.

5

6 Communication from the Public:

7 Jake Holmes commented regarding his support of the athletic director's rule (22.8  
8 Activities Administration Authorization).

9

10 Stakeholder Presentation:

11 Some members of The New Teacher Advisory Group presented to the Board. Members  
12 that attended were: Amy Rost, Des Moines Public Schools; Deepanee Samarakoon,  
13 Cedar Falls; and, Shannon Campbell, Waukee. Joanne Tubbs, BoEE Consultant and  
14 the Group Coordinator was also present. The group was formed to find out from  
15 teachers that recently entered the field their thoughts regarding their pathway to  
16 teacher education and specifically teaching in Iowa; discuss teacher preparation  
17 programs; the licensure process; ethics for educators.

18

19 Rules:

20 Adopt:

21 None.

22

23 Notice:

24 Andy Pattee moved, with a second by Dan Dutcher, to file under notice of intended  
25 action the proposed rule of Chapter 22.8 – Activities Administration Authorization.

26 **MOTION CARRIED UNANIMOUSLY.** (Jake Holmes provided public comment during  
27 the discussion of this rule. Judge Johnston, past president of the Iowa High School  
28 Athletic Directors Association, was present and spoke regarding his support of this  
29 rule.)

30

31 Laura Stevens moved, with a second by Mary K. Overholtzer, to file under notice of  
32 intended action the proposed changes, to Chapter 14 – Special Education

33 Endorsement Requirements. Roll call vote: Arnold – no; Buck – yes; Dutcher – yes;

1 Garcia – yes; Hill – no; Overholtzer – yes; Pattee – yes; Prescott – yes; Stevens – yes;  
2 Sullivan – no. **MOTION CARRIED.**

3

4 Larry Hill moved, with a second by Andy Pattee, to file under notice of intended action  
5 the proposed rule of Chapter 22.5 – Native Language Teaching Authorization.

6 **MOTION CARRIED UNANIMOUSLY.**

7

8 Brad Buck moved, with a second by Andy Pattee, to file under notice of intended  
9 action the proposed rule of Chapter 22.8 – Montessori Authorization. **MOTION**

10 **CARRIED UNANIMOUSLY.**

11

12 *Items for Discussion:*

13 The Board discussed ethics training as a requirement for renewal. This series of  
14 changes will allow educators to complete current and relevant training as a condition  
15 of licensure renewal, and also for the first issuance of a license when it is not already  
16 covered in the preparation program. Chapter 272.2 also states that the board shall  
17 provide this training to any person who holds a license, certificate, authorization, or  
18 statement of professional recognition. This proposal will be brought back for notice at  
19 a future meeting.

20

21 The Board discussed licensure renewal options. The Board will receive updates on  
22 current BoEE discussion regarding competency based renewals, CEUs, and various  
23 renewal options and practices available in other states.

24

25 Petitions for Waiver:

26 Anne Sullivan moved, with a second by Larry Hill, that in **PFW 14-08 Erin**  
27 **Schlotfeldt**, the board deny the wavier. Reasons for denying: Ms. Schlotfeldt applied  
28 for a Class B license to continue teaching special education in the position she held  
29 during the term of her administrative decision license. The application was denied  
30 because she had not completed the required hours (one half of the content  
31 requirements for the endorsement, because special education is a designated shortage  
32 area). Ms. Schlotfeldt did not start her special education coursework until June of  
33 2014, because that is when a cohort began at Graceland University. She is currently

1 enrolled at Graceland working toward a master's degree in special education, and will  
2 have completed 3 hours as of August 23, 2014. Ms. Schlotfeldt was issued an  
3 administrative decision license on August 16, 2013, so that she could teach special  
4 education during the 2013-2014 school year. A letter sent to her on that date stated  
5 the administrative decision could only be converted to a Class B license when it  
6 expired if she had completed at least 12 hours of coursework in special education.  
7 Given the fact that Ms. Schlotfeldt could have obtained credit hours during the term of  
8 her administrative decision license but did not do so because she wanted to complete  
9 her coursework at Graceland, the Board found the application of the rule would not  
10 impose an undue hardship. The Board reviewed past waiver requests and found it  
11 had previously denied similar requests. Granting the waiver could prejudice the  
12 substantial legal rights of similarly situated individuals who have been unable to  
13 obtain a Class B license due to a lack of credit hours. The Board noted that granting  
14 the waiver would allow Ms. Schlotfeldt to begin a second year of teaching in a special  
15 education classroom without having completed half of the coursework requirements  
16 for the sought-after special education endorsement. Therefore, the Board found that  
17 waiving the rule would not provide substantially equal protection of public welfare.

18 **MOTION CARRIED UNANIMOUSLY.**

19  
20 Andy Pattee moved, with a second by Larry Hill, that in **PFW 14-09 Emily House**, the  
21 board deny the wavier. Reasons for denying: Emily House requested a waiver of the  
22 assessment requirement for a teacher exchange license. Her application for a one-year  
23 teacher exchange license was denied because she had not taken Iowa's designated  
24 Praxis exam in her content area. She has been offered a teaching position that begins  
25 August 18, 2014. Ms. House had taken the correct content exam shortly before the  
26 board meeting, but had not yet received her score. Ms. House cited possible loss of  
27 her position due to an inability to start the school year as a basis for a finding of  
28 undue hardship. The Board acknowledged these concerns and urged staff members to  
29 work with House and the testing service to expedite the scoring of Ms. House's exam if  
30 possible. As of the date of this order, the Board has not reviewed any other requests  
31 for waiver of the assessment requirement in question. The Board found that granting  
32 the waiver would prejudice the substantial legal rights of others who have been unable  
33 to obtain or begin teaching positions due to assessment-related delays. Additionally,

1 the Board noted that the parallel assessment requirement for individuals who  
2 complete teacher preparation programs within the state of Iowa is in statute, and  
3 therefore cannot be waived. Having found that a waiver in this situation would  
4 prejudice the substantial legal rights of others held to the assessment requirement,  
5 the Board did not make a finding on this element of the rule. Roll call vote: Arnold –  
6 yes; Buck – yes; Dutcher – yes; Garcia – yes; Hill – yes; Overholtzer – no; Pattee – yes;  
7 Prescott – yes; Stevens – yes; Sullivan – yes. **MOTION CARRIED.** (Emily House was  
8 present at the meeting during the discussion of her waiver.)

9  
10 Reports/Approvals

11 Phil Wise provided a legislative update.

12  
13 2014-2015 Board Goals

14 The proposed 2014-2015 goals are based on the ideas discussed at the board retreat.

15  
16 Semiannual Summary Waiver Report

17 This report was distributed to the board for their review. The report is provided  
18 semiannually to the administrative rules coordinator and the administrative rules  
19 review committee.

20  
21 There being no further business, Mary K. Overholtzer moved, with a second by Larry  
22 Hill, to adjourn the meeting. Meeting adjourned at 2:25 p.m.